



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.11.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.15821 of 2020

E. Sundarrajan

... Petitioner

Vs.

1.The Principal Chief Conservator of Forest,
Head of Department, Panagal Maaligai,
Saidapet, Chennai - 15.

2.The Director Cum Chief Conservator of Forest,
Tirunelveli.

3.The Deputy Director of Project Tiger,
Kalakkad Mundandurai Tiger,
Reserve Forest, Ambasamudram,
Tirunelveli District

4.The District Forest Officer,
Tirunelveli.

... Respondents

Prayer: Writ Petitions is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to promote this petitioner in the post of Forest Guard, by placing his seniority above his juniors on the basis of his representation, dated 06.10.2020 within a stipulated period.

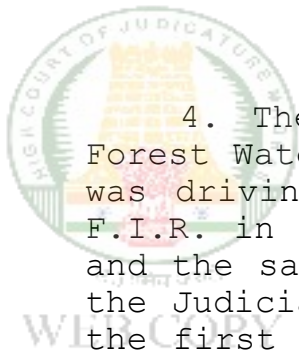
For Petitioner	:	Mr.A.Balakrishnan
For Respondents	:	Mr.N.Shanmugaselvam
		Additional Government Pleader

O R D E R

The Writ Petition is filed seeking a direction to the first respondent to promote the petitioner in the post of Forest Guard, by placing his seniority above his juniors on the basis of his representation. dated 06.10.2020. within a stipulated period.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



4. The case of the petitioner is that he is now working as Forest Watcher. On 18.02.2013, he met with an accident, while he was driving the vehicle for Departmental work and in this regard, F.I.R. in Crime No.54 of 2013 was registered against the petitioner and the same was taken on file as C.C.No.68 of 2015 on the file of the Judicial Magistrate, Ambasamudram. While the matter stood thus, the first respondent prepared a panel for the post of Forest Guard in the year 2018-2019 and in the panel list, the petitioner's name was not found place and his juniors were considered. Hence, the petitioner gave a representation to the first respondent, on 17.09.2020. However, the first respondent prepared a final list on 22.09.2020 without including the petitioner's name. Hence, he gave another representation to the first respondent, on 06.10.2020. Since the same has not been considered so far, the present Writ Petition is filed before this Court.

5. The learned Additional Government Pleader appearing for the respondents submitted that the representation submitted by the petitioner on 06.10.2020 would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

6. Considering the nature of the relief as sought for by the petitioner, without going into the merits of the case, the third respondent is directed to consider the representation of the petitioner, dated 06.10.2020 and pass appropriate orders on merits and in accordance with law, after taking into consideration of the proceedings said to have been pending or initiated against the petitioner and after affording an opportunity of hearing to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ls/pm

To

1.The Principal Chief Conservator of Forest,
Head of Department, Panagal Maaligai,
Saidapet, Chennai - 15.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director Cum Chief Conservator of Forest,
Tirunelveli.

3.The Deputy Director of Project Tiger,
Kalakkad Mundandurai Tiger,
Reserve Forest, Ambasamudram,
Tirunelveli District

4.The District Forest Officer,
Tirunelveli.

+1 CC to M/s.A. BALAKRISHNAN, Advocate (SR-21812[F] dated
11/11/2020)

+1 CC to M/s.GP (SR-21947[F] dated 11/11/2020)

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10.11.2020

PU (CO)

AP (24/11/2020) 3P 7C